

Exhibit 4: City Council Meeting Minutes Declaring Emergency

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ATTN: SU CORBALEY

AGENDA ITEM REQUEST

- (1). Councilmember/proponent: Chi-Wei Lin
- (2). Meeting Date: November 28, 2007
- (3). Type of agenda: Regular
- (4). Title: Discussion/Decision on Council Actions to Relieve the Water Soaked Situation at the Tsurai Study Area.
- (5). Brief Description of Item: The Council will discuss the situation where the ground of the Tsurai Village is saturated with water and will consider and decide on what measures the City will take to relief the situation, including the declaration of an emergency.
- (6). Background:

For several years, it has been noticed and reported that the ground at the Tsurai Village is saturated with water. This condition, if not corrected, may cause a number of damages, including damages to historical and culture resources in the Village and the stability of the bluff and the houses above it.

Recently, it was discovered that significant flows of water coming out from several openings at the base of the bluff. The water flows into the Village site and the property belong to the Sebrings. This further suggests that the bluff can have a high ground water level and may be water saturated also. Bluffs with high water content are less stable. Slides of the bluff can be triggered by additional water or raining storms, as have occurred on June 14, 2005 at the corner of Edwards and Van Wycke.

In the last Council meeting (11/14/07), Cindy Lindgren of the Tsurai Ancestral Society requested the City to declare the area's situation an emergency so that efforts can be focused and expedited to relieve the situation.

Since the request, the Council has taken several preliminary actions:

1. Requested a report from the City Engineer Stave Allen, who has investigated the area recently, to provide an assessment of the situation and suggest means to improve the situation. (Attached)
2. Requested the City Planner to issue and emergency permit so that work to improve the drainage system and diverting run-off water away from the site can be expedited. (Attached)

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3. Acquired the service of a company specialized in water leak detection to investigate potential water leaks from City water lines along the Wagner Street and eastern Edwards Street. The work shall start on Monday, November 26.

4. Conducted a meeting among Lin, Bennie, Axel Lindgren, Joe Lindgren and Sebring to discuss a preliminary scope of work and potential sources of funding. The participants of this meeting agreed we would pursue improving drainage situation on Sebring's property with a plan previously approved by the Council (Option C of Steve Allen's earlier recommendation) and seek funding primary from the State Coastal Conservancy and secondary from the Park Bond 2000. The City will provide permitting support. Independently, work will be proceed to repair the ditch at the base of the bluff, north of the Tsurai Village to divert the run-off water away from the Village. This part of the work will be done by TAS (mostly by Joe Lindgren) with supports from the City for material, pending Council's approval.

Actions suggested for the City Council:

1. Declares the water soaking situation around the Tsurai Village an emergency situation (a 4/5 majority vote is needed for the declaration to pass).
2. Approves the work scope stated above.
3. Approves seeking funding from Coastal Conservancy and Park Bond for the Sebring project, providing expenses for obtaining permits (\$2,000), providing material (up to \$2,000) for the repair of the ditch drainage to divert run-off water away from the Village.
4. Approves expenditure for the City water line leak detection cost (up to \$4,000 from the Water Fund).
5. Considers and approves other actions proposed during this meeting.
- (7). Draft Motion: Four or five separate motions stated above.
- (8). Staff Recommendation: See memos by City Engineer and City Planner.
- (9). Fiscal Impact: May cost about \$4,000 from the General Fund and \$4,000 from the Water Fund.
- (10). Time Required for Presentation: 45 minutes, including discussion.
- (11). Level of Urgency: Urgent, potential emergency situation.

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